


# **EXHIBIT 29**



Home | Road | Mountain Bike | Track | Cyclo-cross | Triathlon | Cycling News HD

News | Tech | Races & Results | Riders & Teams | Features | Forums | Full archive | Calend

You are here: Cyclingnews News Armstrong attorneys respond to USADA charge:

## Armstrong attorneys respond to USADA charges

By: Cycling News Published: June 23, 00:15, Updated: June 23, 00:38 Edition: First Edition Cycling News, Saturday, June 2, 2012

Do you like this? [Tweet](#)

0

### Review board will now decide whether to file anti-doping rule violation

Lance Armstrong's attorneys have today filed a formal response to the allegations of doping brought by the US Anti-Doping Agency (USADA), just inside the 10-day deadline to respond that is spelled out in USADA's protocol for arbitration of sport doping disputes.

On June 13 the *Washington Post* and *ESPN* made public the 15-page letter from USADA to Armstrong outlining new allegations against the seven-time Tour de France winner, Johan Bruyneel and former team doctors, staff and trainers, including use of EPO, transfusions and other banned drugs by Armstrong and a conspiracy to cover up the doping.

Armstrong has vigorously denied the charges, his attorneys writing to USADA that these are "stale allegations disproved long ago and short on evidence" in today's letter.



[view thumbnail gallery](#)

One of the objections raised in the correspondence is an assertion that USADA is illegally relying on evidence leaked to the press from the US federal grand jury investigation into similar allegations which was closed without charges being filed earlier this year,

However, a source close to the case confirmed to *Cyclingnews* that the agency accumulated its own evidence, and while it requested the information from the federal case, it yet has not received any information.

The letter goes on to object to witnesses not being named, insufficient time given to Armstrong and his team to respond, and that USADA cannot point to a positive test to corroborate the claims. However, the World Anti-Doping Agency's code provides for "non-analytical" rule violations in cases such as this where evidence is limited to witness testimony or other information. The rules have been used in the past to ban numerous athletes, including Marion Jones and Tim Montgomery after the BALCO scandal.

Armstrong's attorneys state that despite the alleged conspiracy in the teams, Armstrong is the only athlete to be charged. Furthermore, they claim that the blood values from 2009 and 2010 which Armstrong himself posted on the Livestrong website were examined by experts and it was concluded there was no evidence of doping.

"USADA otherwise has refused to disclose anything else, such as an expert analysis substantiating its unsupported view of those blood values. Consequently, the only "evidence" that USADA puts before this Review Board is its

mischaracterisation of someone who undermines USADA's case, along with raw data, unaccompanied by expert analysis, that independent experts have rejected as evidencing a violation," they wrote.

The attorneys also allege that USADA is keeping all of its evidence secret, even from its own review board. However USADA's CEO Travis Tygart stated that information has been submitted for review to the Anti-Doping Review Board (ADRB), "and the ADRB will consider all submissions in accordance with the rules".

According to USADA, the Review Board, consists of at least one technical expert, legal expert and medical expert, and considers the written submissions and recommends whether there is 'sufficient evidence of doping to proceed with the adjudication process'.

Once it has evaluated all of the information, the review board will make its recommendation if charges should be filed. If they are filed, a hearing must be requested, and if this takes place "the merits of any case will be decided by an independent panel of arbitrators separate from USADA through a full and fair legal process in compliance with federal law," Tygart said.

The final conclusion of Armstrong's camp is that USADA is pursuing evidence that dates from outside the statute of limitations and is therefore acting "wholly outside the scope of its mandate and jurisdiction". USADA claims to have evidence to back up the type of conspiracy that would, under WADA rules, allow rule violations to be issued outside the statute of limitations, but according to Armstrong's lawyers, this evidence has not been made available to them.

Tygart in his statement justifies the current procedures, stating, "When we have evidence that a person has doped, we follow established procedures that were approved by athletes, the U.S. Olympic Committee, and all Olympic sports organisations. Every person accused has the right to a full public hearing where all of the evidence will be presented to an independent group of arbitrators who ultimately decide the case. The established rules provide full due process and are designed to get to the truth."

External resources (*Cyclingnews* is not responsible for outside content):

- [AAA supplementary procedures for Olympic Sport Doping Disputes](#)
- [USOC's due process checklist](#)
- [USADA letter announcing formal action against Armstrong et al](#)
- [Full text of Armstrong's attorneys response to USADA](#)

Follow *Cyclingnews* on Twitter for the very latest coverage of events taking place in the cycling world - [twitter.com/cyclingnewsfeed](https://twitter.com/cyclingnewsfeed)

To catch up on the latest rankings visit the IG Pro Cycling Index at: [www.cyclingnews.com/ig](http://www.cyclingnews.com/ig)

#### Related articles



##### **Armstrong charged with doping by USADA**

Seven-time Tour de France winner banned from competitions  
 June 13, 21:14



##### **Armstrong and authorities comment on doping charges**

USADA and UCI statements reveal levels of intent and knowledge  
 June 13, 22:20



##### **Bruyneel could face lifetime ban if USADA charges are upheld**

RadioShack-Nissan manager charged with doping and cover-up conspiracy  
 June 14, 08:59



##### **Bruyneel asserts innocence regarding USADA doping allegations**

Will cooperate fully with investigation  
 June 15, 20:00



### Armstrong frustrated by lack of information from USADA

Seven-time Tour de France winner says "it's time to play by the rules"  
 June 16, 07:34



### Bruyneel to skip Tour de France

RadioShack-Nissan general manager cites "unfounded accusations"  
 June 22, 20:34



### Doping charges recommended in Armstrong case

Review board green lights USADA case  
 June 29, 20:51



### Legal opinion: Armstrong's arguments against USADA

Arbitrators, not review board will determine outcome  
 July 4, 21:41



### Report: Witnesses in Armstrong case unmasked?

Riders given six-month delayed ban by USADA  
 July 5, 07:16



### USADA chief aims to protect witnesses

Says speculation in media "leads to inaccurate information"  
 July 5, 16:49

## Related teams



### RadioShack-Nissan

2012 UCI status: ProTeam  
 Sponsor: Electronic goods retail chain/Automobile manufacturer  
 Team Nationality: USA  
 Website: [www.radioshacknissantrek.com](http://www.radioshacknissantrek.com)  
 General Manager: Johan Bruyneel  
 Directeurs sportifs: Kim Andersen, Jose Azevedo, Dirk Demol, Alain Gallopin, Luca Guercilena, Lars Michaelsen

[Back to top](#)

[Send this page to a friend](#)

[Share this page with others](#)

[Print this page](#)

## FROM AROUND THE WEB



The 'He Said, He Said' Drama Surrounding Lance Armstrong  
*(TakePart)*



So Long, Hermione! Emma Watson Has a Racy New Role  
*(iVillage)*



19-Year-Old Busted In Global Credit Card Sting After FBI Agent IDs Him On Facebook  
*(Forbes.com)*



The Best and Worst Dressed Golfers  
*(BleacherReport)*



KidSwing's kid golfers help Texas Scottish Rite Hospital for Children  
*(Lifestyle)*

#### Custom Cycling Jerseys

Low minimums, Fast service Starting at \$39 per custom jersey!

[www.AscendSportswear.com](http://www.AscendSportswear.com)

#### What Really Attracts Men

9 Ugly Mistakes Women Make That Men Find Totally Unattractive.

[www.CatchHimAndKeepHim.com](http://www.CatchHimAndKeepHim.com)

#### Cycling Event 2012

Register for Richmond's Gran Fondo Ride 102, 59, or 29 miles on Oct. 6

[sportsbackers.org](http://sportsbackers.org)

---

#### Road Races & Events

Tour de France  
Giro d'Italia  
Vuelta a Espana  
Amgen Tour of California  
USA CRITS  
2012 Olympic Games  
Sea Otter Classic

#### Cyclingnews.com

About us / contacts  
Cycling News HD - Weekly Cycling  
Magazine  
Register for the forum  
Bike magazines & subscriptions  
Advertising

#### In Cyclingnews.com

Road  
Mountain Biking  
Track  
Cyclo-Cross  
News  
Racing and Results  
Tech  
Features  
Blogs  
Fitness  
Photos  
Video

#### Forums

Road  
Mountain Bike  
Track  
Cross  
Tech

Copyright 2006 - 2012  
Street Bath, UK B&A  
England and Wales